

श्राधिकार से प्रकाशित

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सं० 27]

नई विल्लो, शनिवार, जलाई 3, 1971/**ग्राजाद** 12, 18**9**3

No. 27

NEW DELHI, SATURDAY, JULY 3, 1971 ASADHA 12, 1893

इस भाग में भिन्न पट्ट संख्या दी जाती है जिससे कि यह झलग संकलन के रूप में रखा जा सके। Separate paging is given to this Part in order that it may be filed as a separate compilation.

### भाग **II----ल**ण्ड 3----उपलण्ड (ii)

PART II-Section 3-Sub-section (ii)

(रक्षा मंत्रालय को छोडकर) भारत सरकार के मंत्रालयों और (संघ क्षेत्र प्रज्ञासन की छोडकर) केन्द्रीय प्राधिकरणों द्वारा अस्ती किये गएँ विधिक ग्रावेश ग्रीर श्रधिसुधनाएँ

Statutory orders and notifications'issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

### MINISTRY OF SHIPPING AND TRANSPORT

(Transport Wing)

(MERCHANT SHIPPING)

New Delhi, the 10th June, 1971

S.O. 2500.—In pursuance of rule 5 of the Indian Merchant Shipping Seamen's Employment Office, Calcutta) Rules, 1954, the Central Government hereby appoints Shri S. Puri as a merche of the Seamen's Employment Board (Foreign-going) at the port of Calcutta to represent the Shipowners for the remaining term of office of Shri P I D Barry, resigned and makes the following amendment in the notification of the Government of India in the Ministry of Shipping and Transport (Transport Wing) S O No 2027, dated the 28th May, 1970, namely: namely.

In the said notification, in Serial No 8, for the entry 'P.I.D. Barty', the entry S Puri' shall be substituted

[15-MT(2)/69]

HARBANS SINGH, Dy. Secy.

3532

## पोतपरिवहन तथा परिवहन मंत्रालय

(परिवहन पक्ष)

नई दिल्ली, 10 जून, 1971

(ब्यापार पोतपरिवहन)

स० श्री० 2500 — भारतीय द्यापार पीतपरिवहन (नाविक रोजगार कार्यालय, कलकत्ता) नियम, 1954, के नियम 5 के अनुसरण में केन्द्रीय सरकार एतद्द्वारा श्री एस० पुरी को पोतमालिकों के प्रतिनिधि के रूप में श्री पी० ग्राई० डी० बार्टी, जिन्होंने त्यागपत्न दे दिया है, की शेष पदावधि के लिए कलक्ता पत्तन पर नाविक रोजगार बोर्ड (विशेषगामी) का सदस्य नियुक्त करती है श्रीर भारत सरकार के पोतपरिवहन तथा परिवहन मंत्रालय (परिवहन पक्ष) की श्रिधसूचना स० श्री० 2027, दिनाक 28 मई 1970 में निम्नलिखित संशोधन करती, है श्रर्थात् :—

उक्त ग्रिक्षिसूचना में अभ सं० 8 में प्रविष्टि पी० ग्राई० डी० बार्टी के स्थान में प्रविष्टि "एस० पूरी" प्रतिस्थापित की जाएगी ।

[15-एमटी (2)/69]

हरबंस सिह, उप सचिव ।

#### MINISTRY OF RAILWAYS

#### (Railway Board)

New Delhi, the 9th June 1971

- S. O 2501—In exercise of the powers conferred by the proviso to Article 309 of the Constitution the President hereby makes the following rules further to amend the Railway Servants (Discipline and Appeal) Rules, 1968, namely:—
  - (1) These rules may be called the Railway Servants (Discipline and Appeal) Second Amendment Rules, 1971.
    - (2) They shall come into force on the date of their publication in the Official Gazette.
  - 2. In Schedule III to the Railway Servants (Discipline and Appeal) Rules, 1968,—
  - (i) in column three, against item Nos. t and 2 for the expression 'General Managers and; Director General, R.D.S.O. the following expression shall be substituted, namely:— "General Managers, Director General, R.D.S.O. and Chief Administrative Officers."
  - (ii) after item No. 2, the following item shall be inserted, namely :-

| "Item<br>No. | Class of Railway<br>Servents                            | Authority empowered to under suspension or to its nature                             | Appellate<br>a uthority  |
|--------------|---|--|--|
| 3.           | classified either as                                    | Prsesident—Full powers  Railway Board—Full Pow                                       | Presiden t.  |
|              | Class I or Class II, viz. Temporary Assistant Officers. | Ranway Boara-Full Pow  | Fresiden t.  |
|              |   | General Managors,<br>Director General RDSO<br>and Chief Administra-<br>tive Officers | Suspension and the penalties specified in clauses (i), (iii) and (iv) of sub-rule (1) of rule 6. |

[No. E (D & A) 70 RG 6-63]

C. S. PARAMESWARAN,

Secy. Railway Board & officiating Jt. secy. Govt. of Inbia.

### रेल मंत्रालय

### (रेल वे बोर्ड)

### नई दिल्ली, 9 जून, 1971

एस० ग्रो० 2501.---संविधान के ग्रनुष्छेद 309 के परन्तुक द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राष्ट्रपतिएतद्द्वारा रेल सेवक (ग्रनुशासन ग्रौर ग्रपील) नियम, 1968 में ग्रागे ग्रौर संशोधन करने के लिए निम्नलिखित नियम बनाते हैं, अर्थात :---

- ¹ (1) ये नियम, रेल सेवक (अनुशासन श्रांर श्रपील) द्वितीय संशोधन नियम, 1971 कहे जा सकेंगे ।
  - (2) ये सरकारी राजपक्ष में प्रकाशित होने की तारीख से लागू होंगे। रेल सेवफ (ग्रनुशासन ग्रौर ग्रपील) नियम, 1968 की ग्रनुसूची III में---
  - (i) कालम तीन के मद 1 श्रीर 2 के सामने 'महा प्रबन्धक श्रीर महानिदेशक श्रनुसंधान श्रिभकल्प तथा मानक संगठन'' के स्थान पर निम्नलिखित को प्रतिस्थापित किय जायेगा, श्रथति—

'महा प्रबन्धक, महानिदेशक श्रनुसंधान, अभिकल्प तथा मानक संगठन और मुख्य प्रशासनिक अधिकारी ।''

(ii) मद सं ० 2 के बाद निम्नलिखित मद को श्रंतिविष्ट किया जायेगा, श्रथातु :---

मद सं० रेल सेवकों का वर्ग

रेल सेवक को निम्नलिखित स्थिति में अपींलीय प्राधिकार रखने या शास्तियां अधिरोपित करने को सगक्त प्राधिकारी तथा शास्ति का

स्वरूप

3 रेल सेवक जिन्हें वर्ग I या वर्ग II जैसे श्रस्थायी सहायक श्रिधकारियों, में वर्गीकृत न किया गया हो।

राष्ट्रपति:—पूर्णं ग्रधिकार रेसवे बोर्ड--पूर्णं ग्रधिकार राष्ट्रपति महाप्रबन्धक, महानि देदक, श्रनुसंथान रेलवे बोर्ड ग्रिभिकल्प तथा मानक संगठन ग्रीर

मुख्य प्रशासनिक ग्रधिकारी--निलम्बन श्रौर नियम 6 के उप-नियम (1)
के खंड (i), (iii) श्रौर (iv) में
विनिद्धिष्ट णास्तियां

[सं०ई(डी एण्ड ए) 70 श्रार जी 6-63] सी० एस० परमेश्वरन, सिविध रेलवे बोर्ड एवं पदे संयुक्त सिविध, भारत सरकार ।

## MINISTRY OF INDUSTRIAL DEVELOPMENT (Department of Internal Trade)

New Delhi, the 7th June 1971

S.O. 2502.—The following amendments made to the Articles of Association by the Kanpur Oils and Oilseeds Exchange Limited, Kanpur, in exercise of the

powers conferred on it by sub-section (i) of Section 9A of the Forward Contracts (Regulation) Act, 1952, (74 of 1952) and approved by the Central Government are hereby published, as required by sub-section (2) of the said section, namely:—

#### **Amendments**

In the said Articles of Association:--

- 1. In Article 9A-
- (a) For the existing clause (1) the following shall be substituted:
  - "(i) All members of the Exchange shall be classified into three different panels as follows:—
    - (a) Crushers and Manufacturers Panel.
    - (b) Growers and Ready Dealers Panel.
    - (c) Commission Agents and others Panel.
- (b) The existing clause (iii) shall be deleted.
- (c) The existing clause (iv) shall be renumbered as clause (iii).
- (d) The existing sub-clause (a) and (f) of the existing clause (iv) now renumbered as clause (iii) shall be deleted and the remaining sub-clause (b), (c), (d) and (e) shall be renumbered as sub-clauses (a), (b), (c) and (d)."
  - 2. In Article 50, for the existing (i) (A), the following shall be substituted:-
- "(A). Not more than 15 directors elected by the members or their Authorised Representatives in the manner provided for in these presents. (This is the maximum number for elected Directors but the Board may have less number than this if so desired).

#### Of these Directors:

- (i) Not more than 2 Directors representing Crushers and Manufacturers Panel to be elected by the members or their Authorised Representatives classified in the Cruchers and Manufacturers Panel.
- (ii) Not more than 2 Directors representing the Growers and Ready Dealers Panel to be elected by the members or their Autohrised Representatives classified in the Growers and Ready Dealers Panel.
- (iii) Not more than 8 Directors representing the Commission Agents & others panel to be elected by the Members or their Authorised Representatives classified in the Commission Agents & Others Panel."

[No. 13(1)-I.T.-70.]

P. SITARAMAN, Dy. Secy.

### औद्योगिक विकास, आंतरिक व्यापार तथा कम्बनी कार्य संत्रालय

## (श्रोतरिक बगावार विभाग)

नई दिल्ली, 7 जून, 1971

का॰ ग्रा॰ 2502.—कानपुर आयल एण्ड श्रायलसीड एक्सवेंज लिमिटेड, कानपुर द्वारा उसे ग्रिश्रम संविदा (विनियमन) ग्रिश्रिनियम, 1952 (1952का 74) की धारा 9क की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, संगम अन्च्छेद में किए गए, श्रौर केन्द्रीय सरकार द्वारा श्रनुमोदित निम्नलिखित संशोधन, उक्त धारा की उपधारा (2) की श्रपेक्षानुसार एतद्वारा प्रकाणित किए जातें हैं, श्रथित्:—

#### संज्ञोधम

उक्त संगम-ग्रन्च्छेद में :--

- 1. ग्रन्च्छेद १क म :---
  - (क) विद्यमान खण्ड (1) के लिए, निम्नलिखित प्रतिस्थापित किया जाएगा :---
    - (1) एक्सचेंज के सभी सदस्य तीन विभिन्न पैनलों में निम्नलिखित रूप मेंवर्गीकृत् किए जाएंगे :---
      - (क) पिराई करन वालों और विनिर्मातास्रों या पैनल ।

- (ख) उगाने वालों ग्रौर नैयार माल के व्यवहारियों का पैनल।
- (ग) कमीशन एजेन्ट और दूसरों का पैनल ।
- (ख) विद्यमा: खंड (III) निकाल दिया जाएगा।
- (ग) विद्यमान खंड (4) खंड (III) के रूप में पुनः संख्यांकित किया जाएगा :
- (घ) विद्यमान खड (4) के विद्यमान उप खंड (क) श्रीर (घ) जो स्रब खड (III) के स्व में पुनः मख्याकित किए गए है, निकाल दिए जाएगे और शेष उप-खंडो (ख), (ग), (घ) श्रीर (ङ) को उपखड (क), (ख), (ग) श्रीर (घ) के रूप में पूनः संख्यांकित किया जाएगा ।"
- 2. अनुच्छेद 50 में, विद्यमान (1) (क) के लिए, निम्नलिखित प्रतिस्थापित किया जाएगा :---
  - (क) इस विलेख में उपबंधित रोति से सदस्यों या उनके प्रधिकृत प्रतिनिधियों द्वारा निर्वाचित 15 निदेशकों से अनिधिक (यह निर्वाचित निदेशकों के लिए अधिकतम संख्या है किन्तु बोर्ड में इस से भी कम संख्या हो सकती है यदि ऐसा वांछित हो)।

### इन निवेशकों मे से :---

- (i) पिराई करने वालों और विनिर्माताम्रा के पैनल का प्रतिनिधित्व करने वाले 2 से श्रनिधिक निदेशक जो पिराई करने वालों और विनिर्माताम्रों के पैनल में वर्गीकृत सदस्यों या उनके प्राधिकृत प्रतिनिधियों द्वारा निर्याचित किए जाएँगे :
- (ii) उगाने वालों और तैयार माल के व्यवहारियों के पैनल का प्रतितिधित्व करने वाले 2 से अनिधिक निदेशक जो उगाने वालों और तैयार माल के व्यवहारियों के पैनल में वर्गीकृत सदस्यों या उनके प्राधिकृत प्रतिनिधियों द्वारा निर्वाचित किए जाएंगे।
- (iii) कमीशन एजेन्ट श्रीर दूसरों के रैनल का प्रतिनिधित्व करने व ले 8 से श्रनधिक निदेशक जो कमीशन एजेन्ट श्रीर दूसरों के पैनल में वर्गीकृत सदस्यों या उनके प्राधि-कृत प्रतिनिधियों द्वारा निर्शाचित किए जाएगे :

[सं॰ 13 (1) प्राई॰ टी॰-70] प॰ सीतारामन, उप सचिव ।

# OFFICE OF THE COLLECTOR OF CENTRAL EXCISE (Central Excise Wing)

#### Customs

#### Cochin, the 8th June 1971

- S.O. 2503.—In exercise of the powers conferred by clauses (a) & (b) of Section 8 of the Customs Act, 1962 (52 of 1962) I. L. S. Marthandam, Collector of Customs and Central Excise. Cochin hereby:—
- (i) declares that the limits of the port of Neendakara in the State of Kerala shall be:
  - on the North—A line drawn west from the northern boundary pillar to 10 fathoms of water.
  - on the south—A line drawn west from the southern boundary pillar to 10 fathoms of water.
  - on the west-A line joining the western ends of the Northern and southern boundary lines; and
  - on the East—A line drawn from the northern boundary pillar along the boundary stones 1 to 10 of Ngondeltara Port to join northern abutment of the Neendakara bridge, thence eastwards along the line

of 50 yards from high water mark of Ashtamudi lake including the wharf area of the Ice Plant of the Kerala Fisheries Corporation, thence along the Chavara canal upto Messrs F. X. Periera and Sons' Factory including the area upto 50 yards from high water mark on either side of the canal and the wharf area at the Indian Rare Earths Limited, and Messrs F. X. Periera and Sons' Factory thence castwards along the 50 yards from the high water mark from the entrance of the Chavara Canal at the Ashtamudi lake to the 50 yards from high water mark to the boundary stones No. 11 to 18 at Kurusimoodu, Pulimootil (Pallikode), Prakulam west point (sampranikodi), Aravila jetty point, Kuripuzha southern ferry landing, Panamukkam Kodi (Tahsildarkodi), Thevally bridge abutment (Thrikkadavoorside) and Srivails Tile Works compunt at Ashramom respectively, thence along the 50 yards from high water mark south wards upto the port wharf at Ashramom thence along the outer edge of the encircling road of the wharf and port area to the western side and from there along the 50 yards from high water mark of Ashtamudi lake upto the southern abutment of the Neendakara bridge including all water and land area enclosed within the above limits and thence to the boundary Stones No. 19 to 30 to join the southern boundary pillar subject to any rights of private property.

- (ii) appoints and declares the areas at the port of Neendakara the limits of which are given below as wharves for the loading of Illminite only for export; Limits of the wharf:—
  - (i) the southern breakwater for a length of 500 metres from the base; and
  - (ii) the northern shore of the Ashtamudi Exit to the sea for a distance 500 metres from the North Western end of the Neendakara bridge.

[No. 1/71-Cus.Pol.]

L. S. MARTHANDAM,

Collecter of Customs and Central Excise, Cochin.

## MINISTRY OF HEALTH AND FAMILY PLANNING

(Department of Health)

New Delhi, the 9th June 1971

S.O. 2504.—Whereas in pursuance of clause (c) of sub-section (2) of section 3 of the Prevention of Food and Adulteration Act, 1954 (37 of 1954), the Central Government has nominated Shri D. S. Chadha, Assistant Secretary (Prevention of Food Adulteration), Directorate General of Health Services, New Delhi, as a member of the Central Committee for Food Standards vice Dr. K. Bagechi;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following further amendment in the notification of the Government of India in the late Ministry of Health No. S.R.O. 1236, dated the 1st June, 1955, namely:—

In the said notification, for the entry against item 4, the following entry shall be substituted, namely:—

'Shri D. S. Chadha, Assistant Secretary (Prevention of Food Adulteration), Directorate General of Health Services, New Delhi'.

[No. F. 14-30/71-P. H.];

K. SATYANARAYANA, Under Secy.

#### स्वास्थ्य परिवारानयोजन मंत्रालय

(त्यास्थय विभाग)

नई दिल्ली, अजून 1971

का॰ मा॰ 2504.—-यतः खाद्य अपिमश्रण।नवारण श्रिधिनियम, 1954 (1954 का 37) की धारा 3 की उप धारा 2 के खण्ड (ग) का अनुसरण करते हुए, केन्द्रीय सरकार ने श्री डी० एस० चढ़ा सहायक सिचव (खाद्य श्रपमिश्रण निवारण), स्वास्थ्य सेवाश्रों का महानिदेशालय, नई दिल्ली को डा० के० बागची के स्थान पर केन्द्रीय खाद्य मानक, समिति का सदस्य मनोनीत किया है;

श्रतः श्रव, उक्त श्रिधिनियम की धारा 3 की उप धारा (1) द्वारा प्रदत्त शिक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा भारत सरकार, भतपूर्व स्वास्थ्य मंत्रालय श्रिधिसूचना संख्या एस० श्रार० श्रो० 1236 दिनांक 1 जून, 1955 में श्रागे श्रौर निम्नांकित संशोधन करती है, नामत:——

उक्त ग्रधिसूचना में मद—-4 की प्रविष्टि के स्थान पर निम्नांकित प्रविष्टि प्रतिस्थापित की जायेगी, नामत:

श्री डी० एस० चढ़ा, सहायक सचिव (खाद्य श्रपमिश्रण निवारण) स्वास्थ्य सेवाग्रों का महानिदेशालय, नई दिल्ली ।

[सं॰ 14-30/71-जन स्वा]

के० सत्यनारायण, भ्रवर सचिव।

# MINISTRY OF LAW (Legislative Department)

#### New Delhi, the 10th June 1971

- S.O. 2505.—In exercise of the powers conferred by section 10 of the Dargah Khawaja Saheb Act, 1955 (36 of 1955), the Central Government, in consultation with the Government of Rajasthan, hereby constitutes, with immediate effect, an Advisory Committee for a period of one year for the purpose of advising the Nazim in the discharge of his functions under the said Act and also for such other purposes as may be specified in the bye-laws of the Dargah Committee, consisting of the following persons, namely:—
  - Shri Mohd. Abdul Hamid Khan, s/o Mohd. Sayeed Khan Saheb of Inderkot, Ajmer.
  - 2. Shri Sayeed Abdul Rauof, s/o Abdul Qaddua Saheb, of Imambara, Ajmer.
  - Shri Sayeed Abdul Baqi, s/o Abdul Khalik Saheb, Hafiz Manzil, Chowk Panngarah, Ajmer.
  - 4. Shri Peer Mohd Ghoshi, s/o Karimji Saheb, of Delhi Darwaza, Aimer,
  - Shri Sayed Saulat Hussain Ali Khan, s/o Sayed Inayat Hussain Ali Khan, Dewan Saheb, Dargha, Ajmer.
  - 6. Seth Abdul Karim Allah Rakha Sahib, Qaiser Ganj, Station Road, Ajmer,
  - Sheikhzada Abdul Rashid Sahib s/o Sheikhzada Abdul Latif Sahib, Mohalla Anderkote, Almer.

[No. 11(7)/69-Wakf.]

E. VENKATESWARAN, Dy. Secy.

#### विधि मंत्रालय

### (विधायी विभाग)

### नई दिल्ली, 10 जून 1971

का 2505.—दरगाह ख्याजा साहब श्रिधिनियम, 1955 (1955 का 36) की धारा 10 द्वारा प्रवत्त मितियों के प्रयोग में केन्द्रीय सरकार, राजस्थान सरकार के परामर्श से उक्त श्रिधिनियम के श्रिधीन नाजिम को उसके कृत्यों है निर्वहन में परामर्श के प्रयोजनार्थ श्रौर ऐपे श्रन्य प्रयोजनों के लिए जो दरगाह समिति की उपविधियों में विनिर्दिष्ट हों, निम्नलिखित व्यक्तियों को मिलाकर एक वर्ष की श्रवधि के लिए एतद्द्वारा एक सलाहकार समिति का गठन करती है जो तुरन्तः प्रभावणील होगा ।

- श्री मोहम्मद ग्रब्दुल हमीद खां सुपुत्र माँ० सईद खां साहब ग्राफ इन्दरकोट श्रजमेर :
- श्री सईद अब्दुल रऊफ स्पृत अब्दुल कादस साहब आफ इमामबारा, श्रजमेर:
- 3. श्री सईद अब्दुल बाकी सुपुत अब्दुल खलिक साहब, हाफिज मंजिल, चौक पनगढ़, अजमेर :
  - 4. श्री पीर मोहम्मद घोषी सुपूत्र करीन जी साहब स्राफ दिल्ली दरवाजा, अजमेर:
- 5. श्री सय्यद सोलट हुसैन अली खां सुपुत्र सय्यद इनायत हुसैन श्रवी खां साहब, दीवान, साहब दरगाह, अजमेर :
  - 6. सेठ प्रब्दूल करीम श्रव्लाह रक्खा साहिब, क्वेसर गंज, स्टेशन मार्ग, श्रजमेर:
- 7. शेखजादा अब्दुल रसोद साहिब सुदुल शेखजादा श्रव्दुल लतीफ साहिब, मौहल्ला एन्डरकोटे, श्रजमेर :

[सं० 11 (7)/67-वक्फ] दे० वेंबटेश्वरन, उप-सचिवर्ही।

#### MINISTRY OF FOREIGN TRADE

#### (Office of the Joint Chlef Controller of Imports and Exports)

#### ORDERS

#### Bombay, the 16th April 1971

Subject.—Cancellation of Exchange Control Purpose copy of licence No. 2600334, dated 15th December, 1969 for 13880/- issued in favour of M/s. The New City of Bombay Mfg. Co. Ltd., Bombay-33.

S.O. 2506.—M/s. The New City of Bombay Mfg. Co. Ltd., 63 Chinchpokli Road, Bombay-33 have been granted licence No. 2600334 dated 15th December, 1969 for Rs. 13880/- (Thirteen thousand eight hundred and eighty only) for import of Dyes & Chemicals permissible varieties. They have applied for duplicate copy of Exchange Control Purpose copy of the licence on the ground that the original licence has been misplaced.

It is further stated that the said original licence is already utilised for an amount of Rs. 2776/- leaving a balance of Rs. 11,104/-. In support of their claim, the applicant firm have filed an affidavit.

I am satisfied that the original copy of Exchange Control Purpose of the Licence No. 2600334 dated 15th December, 1969 for Rs. 13880/- has been misplaced and direct that the duplicate copy of the said licence should be issued to the applicant firm.

The original licence (Exchange Control Purpose) copy is cancelled.

[Issued from File No. 4/124408/JS.69/L/EPSC[I.B.],

#### विदेश व्यापार मंत्रालय

### संयुक्त मुख्य नियंत्रक, भाषात-निर्वात कार्यालय

वम्बई 16 अप्रैल, 1971

विषय: सर्वश्री दी न्यू सिटी ब्रॉफ बाम्बे मैन्युर्फश्चारण कम्पनी लि० बम्बई-33 के नाम मे 13880/- रुपये के लिये जारी किए गये प्रायात लाइमेस संख्या फी 2600334, दिनाकि 15-12-69 की मद्रा विनिमय नियन्नण प्रति को रह करने का प्रादेश।

कां ग्रा० 2506—सर्व श्री दी न्यू सिटी ग्रांफ बॉम्बे मैन्यूफैक्चरिंग कं लिं , 63 चिनपोकजी रोड, बम्बई 33 को स्वीकृत किस्म के रगो तथा रमायनों के श्रायात के लिए 13880/- रुपये (नेरह हजार ग्राउ मौ ग्रस्सी रुपये मान्न) के लिए लाइसेंस मंख्या 2600334 प्रदान किया गया था। उन्होंने लाइसेंस की ग्रन्लिप मुद्रा विनिमय नियन्नण प्रति के लिए इस ग्राधार पर ग्रावेदन किया है कि मूल लाइसेंस खो गया है/ग्रस्थानस्थ हो गया है।

श्रागे यह बताया गया है कि उक्त मूल लाइसेंस का उपयोग 2,776/- रुपये (दो हजार सात सीर छयतर) तक किया गया है श्रीर यह लाइसेंस मूल्य 11,104/- रुपये (ग्यारह हजार एक सी चार) बाकी है। श्रपने तक के समर्थन में श्रायेदक ने एक शपथ पक्ष श्रस्तुत किया है।

मै इमसे सन्तुष्ट हूं कि लाइसेस संख्या 2600334, दिनांक 15-12-69, मूल्य 13,880 रुपये की मूल मुद्रा विनिमय नियंत्रण प्रति खो गई है / श्रस्थानस्थ हो गई है और निदेश देता हूं कि उक्त लाइसेस की श्रमुलिपि प्रति श्रावेदन को जारी की जानी चाहिए।

मूल लाडमेंस (मुद्रा विनिमय नियंत्रण प्रति) रद्द किया जाता है। [मिसिल संख्या 4/124408/जे एस० 69/एल/ईपी एससी० ग्राई० बी०-से जारी]

डी० डिस्जा,

उप-म्ख्य नियंत्रक, ग्रायात-निर्यात,

कृषे संयुक्त सुख्य नियंत्रक, श्रायात-निर्यात ।

Scheet.—Cancellation of Exchange Control Purpose copy of Licence No. 2606049, dated 11th February, 1970 for Rs. 10,993/- issued in favour of M/s. The New City of Bombay Mfg. Co. Ltd., Bombay-3.

S.O. 2507.—M's. The New City of Bombay Mfg. Co. Ltd., 63 Chinchpokli Road, Bombay 33 have been granted licence No. 2606049 dated '1th February, 1970 for Rs. 10.993/- (Ten Thousand Nine Hundred and Ninetythree Only for import of Dyes & Chemicals permissible varieties. They have applied for duplicate copy of Exchange Control purpose of the licence on the ground that the original licence has been misplaced.

It is further stated that the said original licence is already utilised for an amount of Rs. 3.318/- leaving a balance of Rs. 7.675/-. In support of their claim, the applicant firm have filed an affidavit.

I am satisfied that the original copy of Exchange Control Purpose copy of the Licence No. 2606049 dated 11th February, 1970 for Rs. 10,993/- has been misplaced and direct that the duplicate copy of the said licence should be issued to the applicant firm.

The original licence (Exchange Control copy) is cancelled.

[Issued from File No. 122/143942/JS.69/L/EPSC,I.B.], D. D'SOUZA,

Dy. Chief Controller of Imports & Exports, for Jt. Chief Controller of Imports & Exports.

विशय: - सर्व श्री दि न्य सिटी श्रॉफ बांबे मैन्य्फैक्चरिंग कं ० लि०, 93, चित्रपोकली रोड, बम्बई-33 के नाम जारी किए गए लाइसेंस सं० 2606049 दिनांक 11-2-70 की मुद्रा विनिमय नियंत्रण प्रति को रद्द करने का श्रादेश।

का० ग्रा० 2507---सर्वश्री दि न्य सिटी ग्रॉफ बॉम्बे मैन्यफैस्चरिंग कं० लिमिटेड, 93, विचपोकली ं रोड, बम्बई 33 को रंगों तथा रसायनों के श्रायात के लिए 10,993/- रुपये (दस हजार नौ सौ तरानवें मात्र ) के लिए लाइसेंस संख्या 2606049 दिनांक 11-2-70, प्रदान किया गया था। उन्होंने लाइसेंस की अनुलिपि मुद्रा विनिमय नियंत्रण प्रति के लिए इस श्राधार पर आवेदन किया है कि मूल लाइसेंस खो गया है / श्रस्थानस्थ हो गया है ।

श्रागे यह बताया गया है कि उक्त मूल लाइसेंस सीमा-शुल्क कार्यालयों से पंजीकृत किया गया था ्रश्रीर उसका उपयोग 3,388/- रुपये तक किया गया है । श्रीर यह लाइसेंस का मुल्य 7,67arepsilon/- रुपये ्(सात हजार छ: सौ पचहत्तर) बाकी है । श्रपने तर्क के समर्थन में ब्रावेदक ने एक शपथ ्वत्र प्रस्तुत किया है।

मैं इससे सन्तुष्ट हूं कि लाइसेंस संख्या 2606049, दिनांक 11-2-70 मृल्य 10,993/-रपये की मूल मुद्रा विनिमय नियंत्रण प्रति खो गई है / श्रस्थानस्थ हो गई है श्रौर निदेश देता है कि उक्त -लाइसेंस को अनीलिप प्रति ग्रावेदक को जारी की जानी चाहिए ।

मल लाइसेंस (भद्रा विनिमय नियंत्रण प्रति) रद्द किया जाता है।

[मिसिल संख्या 122/143942/जे - एस० 69/एल०/ई० पी० एस० सी०-1-बी० से जारी]

### (Office of the Jt. Chief Controller of Imports and Exports) ORDERS

#### Calcutta, the 24th May 1971

Order cancelling Customs Clearance Purposes Copy of Import licence No. P/S/8218581/C/XX/35/C/29-30/08/25, dated 7-1-71 in connection with the issue of duplicate copy of the same in terms of G. L. I. No. 10/67 dated 23-3-67.

S.O. 2508.—Messrs. Kalinga Bakery Biscuit Confectionery and Mineral Water Co., Uditnagar, Rourkela, Orissa, were granted Import licence No. P/S/8218581/C/XX/35/C/29-30/80/25, dated 7-1-71 for Rs. 20,485 for import of Electrolytic Tinplate Waste for manufacture of Tin Containers. They have applied for duplicate copy of the Customs clearance Purposes Copy of the said licence on the ground that the original of the same has been lost/misplaced. It is further stated that original licence was not registered with any Customs House, and full value to the licence i.e. Rs. 20,485/- remains unutilise.

In support of the contention, the applicant has filed one Affidavit to the effect that the original copy of the Customs Clearance Purposes Copy of the licence has been misplaced. I am satisfied that the original Customs Clearance Purposes Copy of the licence No P/S/8218581/C/XX/35/C/29-30/08/25, dated 7-1-71 for Rs. 20,485 has been misplaced and direct that duplicate copy of the same should be issued to the applicant. The original Customs Clearance Purposes Copy of the licence is applicable. cancelled.

[No. JCCI&E/I&S/II/08/25/70.]

M. S. PURI,

Dy. Chief Controller of Imports & Exports. for Jt. Chief Controller of Imports & Exports.

#### (Office of the Jt. Chief Controller of Imports and Exports)

(CENTRAL LICENCING AREA)

#### ORDERS

New Delhi, the 3rd June 1971

S.O. 2509.—M|s. Nannu Mal Shyam Sunder, Katra Ishwar Bhawan, Delhi-6 were granted permit No. P/E/0196950, dated 30th January, 1971 valued Rs. 85,029 for import of dry Fruits from Afghanistan under the Indo-Afghan Trade Arrangement 1970-71. They have applied for the duplicate copy of Exchange Control copy of the said permit on the ground that the original copy has been lost/misplaced after having been registered with Ferozcopore Custom House and utilized fully.

In support of their declaration, the party has filed an Affidavit duly attested by Notary Public stating that Exchange Control copy of the said permit has been lost/mislaced.

I am satisfied that Exchange Control copy of permit No. P/E/0196950, dated 30th January, 1971 has been lost/misplaced and direct that duplicate copy of Exchange Control copy of the same may be issued to the applicant.

The original Exchange Control Purpose copy of the permit is hereby cancelled-

[No. 21(a) iv/N-2/(8)/A.J.71/Indo-Afghan/CLA.]

M. G. GOMBER.

Dy. Chief Controller of Imports & Exports, for Jt. Chief Controller of Imports & Exports

#### (Office of the Chief Controller of Imports and Exports)

#### ORDER

New Delhi, the 9th June 1971

- S.O. 2510.—M|s. Phillips Carbon Black Ltd., 'Duncan House' 31, Netaji Subhas Road Calcutta were granted an import licence No. P/C/2049847/A/SH/28/H/27/CGV, dated 23rd July, 1968 for Rs. 50,500/- (Rupees Fifty thousand and five hundred only). They have applied for issue of a Duplicate Customs Purposes Copy of the said licence on the ground that the original Customs Purposes Copy has been lost. It has been further stated by the party that the original Customs Purposes Copy of the import licence was registered with the customs authorities at Calcutta and has been utilised to the extent of Rs. 23,758.66. The duplicate customs copy of the aforesaid impor licence is now required for cancelled of a bond executed by the party with the Calcutta Customs at the time of clearance of a consignment yalued at Rs. 6,647/- only.
- 2. In support of the above contention, the applicant has submitted an affidavit. I am, accordingly satisfied that the original customs purposes copy of the said import licence has been lost. Therefore, in exercise of the powers conferred under sub-clause 9(cc) of the Imports (Control) Order, 1955 dated 7th December, 1955 as amendment the said original customs purposes copy of import licence No. P/C/2049847/A/SH/28/H/27/CGV, dated 23rd July, 1968 issued to M/s. Phillips Corbon Black Ltd, 'Duncan House', 31-Netaji Subhash Road, Calcutta is hereby cancelled.
- It is also ordered that duplicate of the customs purpose copy of the said. Import licence may be issued separately to the licensee.

[No. 30(10)/67-68/CG·I.]

H. D. GUPTA,

Dy. Chief Controller of Imports & Exports, for Chief Controller of Imports & Exports.

(मुख्य नियंत्रक, ग्रायात-निर्यात का कार्यालय)

#### प्रावेह

नई दिल्ली, 9 जून, 1971

का का 2510.—सर्वंशी फिलिप्स कारबन ब्लैक लि०, इंकन हाउस, 31, नेपाजी सुभाष रोड, कलकत्ता को 50,500 रुपये (पचास हजार पांच सौ रुपये भाज ) के लिए एक लाईनेंस सं० पी/सी/2049847 ए/एस/एच/27/सी जी 5, दिनांक 23 7-68 प्रदान किया था। उन्होंने उत लाइसेंस की सीमा शुल्क प्रति की ग्रनुलिपि जारी करने के लिए इस ग्राधार पर श्रावेदन किया है कि मूल सीमा शुल्क प्रति खो गई है। पार्टी द्वारा ग्रागे यह उल्लेख किया है कि ग्रायात लाइसेंस की मूल सीमा शुल्क प्रति को सीमा शुल्क प्राधिकारी कलकत्ता के कार्यालय में पंजीकृत कराया गया था ग्रीर उसका उपयोग 23.758, 66 रुपये तक कर लिया गया है। ग्राव पूर्वोक्त लाइसेंस की सीमा शुल्क प्रति की ग्राविण्य के ग्राविण्य की निकासी के समय सीमा शुल्क कार्यालय कलकत्ता के साथ पार्टी द्वारा निष्पादित किए गए बाण्ड को रह करने के लिए है।

उपयुक्त तर्क की पुष्टि में आबेदक ने एक शपथ-पन्न प्रस्तुत किया है। तदनुसार, मैं संतुष्ट हूं कि उक्त आयात लाइतेंस की मूल सीमा शुल्क प्रति खोगई है। यथा संशोधित श्रायात (नियंत्रण) आदेश, 1955 दिनांक 7--12--1955 की उपधारा 9 (सीसी) के श्रन्तर्गत प्रदत्त अधिकारों का प्रयोग करते हुए सर्वश्री फिलिप्स का बन ध्लैंक लि०, कलकत्ता को जारी किए गए श्रायात लाइसेंस सं० पी/सी/ 2049847/ए/एस/एच/ 28/एच/ 27 सीजी 5 दिनांक 23--7--68 की उक्त मूल सीमा शुल्क प्रति एतद्द्वारा रद्द की जाती है।

यह भी ग्रादेश विया जाता है कि लाइसेंसधारी को उन्त लाइसेंस की सीमा शुल्क प्रति की ग्रनु-लिपि ग्रला से जारी की जाए।

[संख्य अ) (10)/67-68/सी० जी० 1.]
हरदेव गुप्ता,
उप-मुख्य नियंत्रक, श्रायात-निर्यात
कृते मुख्य नियंत्रक, श्रायात-निर्यात ।

# MINISTRY OF LABOUR, EMPLOYMENT AND REHABILITATION (Department of Labour and Employment)

New Delhi, the 17th April 1971

#### ORDERS

S.O. 2511.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Ballarpur Colliery belonging to the Ballarpur Colliery Company, Post Office Ballarpur, District Chandrapur (Maharashtra) and their workmen in respect of the matter specified in the Schedule hereto annexed;

And whereas the Cental Government considers it desirable to refer the said dispute for adjudication;

Now, there fore, in exercise of the powers conferred by section 7A and clause (d) of subsection (1) of section 10 of the Industrial Disputs Act, 1947 (14 of 1947), the Central Government hereby constitutes in Industrial Tribunal with Shri W.K. Almelkar, as Presiding Officer with headquarters at Nagpur and refers the said dispute for adjudication to the said Industrial Tribunal.

#### SCHEDULE

Whether the management of Ballarpur Colliery belonging to Ballarpur Colliery Company, Post Office Ballarpur, District Chandrapur was justified 'n"categorising the following workmen as indicated against them? If not, to what relief are the workmen entitled and from what date?

| S. N | $N_0$ .   | ame of | the | Worki | nen |   |   |   | Designation  |
|------|---|--------|-----|-------|-----|---|---|---|--|
| 2.   | Ibrahim Son of Jahir Kh<br>Durgaprasad Rambharos<br>Avidhussain Mohd. Hus<br>Rampati Rambharos:<br>Vidyasag Balgovind<br>Chandrapagan Vasdeo. | e.     | :   | :     | :   | : | : | : | <br>Supervisor. P. Khalasi. W. Driver. Dresser. Wiremen. Supervisor. [No. 1/55/70-LRII.] |

### श्रम, रोजगार और पुनर्यास मंत्रालय

(अम और रोजगार बिभाग)

### আইচা

नई दिल्ली, 17 अजैस, 1971

का० आ० 2511.—यतः केन्द्रीय सरकार की राय है कि इससे उपावद्ध अनुमूची में विनिर्दिष्ट विषयों के बारे में बल्लारपुर कोलियरी कन्पनी, डाकवर बल्लारपुर, जिला चन्द्रपुर (महाराष्ट्र) की बल्लारपुर कोलियरी के प्रवंधतंत्र से सम्बद्ध नियोंजकों और उनके कर्मकारों के बीच एक श्रीचोणिक विवाद विद्यमान है:

श्रीर यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना बांधनीय समझती है ;

श्रतः श्रवः, श्रोद्योगिक विवाद श्रिधिनियम, 1947 (1947) का 14) की धारा 7-क और अधारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शिवतयों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा एक ग्रौद्योगिक श्रीधकरण गठित करती है जिसके पीठासीन श्रीधकारी श्री डब्ल्यु० के० धलमेलकर श्रीद्योगिक श्रीधकरण होगें, जिनका मुख्यालय नागपुर होगा श्रीर उक्त विवाद को उक्त ग्रीद्योगिक श्रीधकरण को न्याय निर्णयन के लिए निर्देशित करती है।

### ग्रन<u>्</u>म्चो

"क्या बल्लारपुर कोलियरी कम्पनी, डाकवर बल्लारपुर जिला चन्द्रपुर की बल्लारपुर कोलियरी के प्रबंध तंत्र द्वारा निम्नलिखित कर्मकारों को उनके नाम के सामने दिए गए वर्गों में वर्गीकृत करना न्यायो-चित्र था ? यदि नहीं, तो कर्नकार किस अनुतोष के और किस तारीख से हकदार हैं ?

| ऋमांक | कर्मकार का नाम                  | पद-नाम                    |  |  |  |
|-------|---------------------------------|---------------------------|--|--|--|
| ,     |                                 |                           |  |  |  |
| 1     | इक्राहिम ग्रात्मज जाहिर खां     | सुपरवाइजर                 |  |  |  |
| 2     | दुर्गाप्रसाद राम भरोसे          | पी० खलासी                 |  |  |  |
| 3     | श्राबिद हुस्सैन मोहम्मद हुस्सैन | खब्त्यु ० ड्रा <b>इवर</b> |  |  |  |
| 4     | रामपति राम <b>भ</b> रोसे        | <b>ड्रे</b> स्स <i>्</i>  |  |  |  |
| 5     | विद्यासागर बालगोत्रिन्द         | वायरमैन                   |  |  |  |
| 6     | चन्द्रपगन वासदेव                | मुपरवा <b>इजर</b>         |  |  |  |

[सं॰ 1/55/70~एल॰ श्रार**॰**-2]

New Delhi, the 21st April 1971

S.O. 2512.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Kotma Colliery of Associated Cement Company Limited, Post Office Kotma, District Shahdol (Madhya Pradesh) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

3544

Now, therefore, in exercise of the powers conferred by clause (d) of subsection (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Jabalpur, constituted under section 7A of the said Act.

#### SCHEDULE

"Whether the management of Kotma Colliery of Associated Cement Company Limited, Post Office Kotma, District Shahdoi is justified in not placing the Timber Mazdoors in New Category-III as per recommendations of the Central Wage Board for Coal Mining Industry? If not to what relief are the workmen entitled and from what date?"

[No. 1/54/70-LRII.]

### नई दिल्ली, 21 म्प्रील, 1971

कां भा० 2512.—-पत: केन्द्रीय सरकार को राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में एसोसियेटिड सीमेंट कम्पनी लिमिटेड, डाक्श्वर कोतमा, जिला शहडील (मध्य प्रदेश) को कोतमा कोलियरी के प्रबन्धतंत्र से सम्बद्ध नियोंजकों और उनके कर्मकारों के बीच एक श्रीशोगिक विवाद विद्यमान है;

श्रौर यतः केन्द्रीय सरकार उक्त विवाद का न्यायनिर्णयन के लिए निर्देशित करना बांछनीय समझती. है ;

श्रतः श्रव, श्रीद्योगिक विवाद श्रधिनियम, 1947 (1947 का 14) की धारा 10की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त णिक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा उक्त विवाद की उक्त श्रधिनियम की धारा 7-क के श्रधीन गठित केन्द्रीय सरकार श्रीद्योगिक अधिकरण जबलपुर की न्यायनिणयन के लिए निर्देणित करती है।

### **प्र**नसची

"क्या एसोसियेटिड सोमेंट कम्पती लिमिटेड, डाकवर कोतमा, जिला शहडोल की कोतमा कोलियरी का कोयला खनन उद्योग के के द्रीय मजदूरी बोर्ड की सिफारिशों के अनुसार टिम्बर मजदूरी को नई श्रेणी—3 में न रखना न्यायोचित है ? यदि नहीं, तो कर्मकार किस अनुतोष के और किस तारीख से हकदार हैं?

[सं० 1/54/70-एल० श्रार०-2]

#### New Delhi, the 27th April 1971

**S.O.** 2513.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of New Kenda Colliery, Post Office Toposi, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

#### SCHEDULE

"Whether the management of New Kenda Colliery, Post Office Toposi, District Burdwan was justified in retrenching Sarvashri Sarbon Singh, Ranjit Singh and Charan Das, Operators and Shri Gurdip Singh, Diesal Mechanic Fitter with effect from the 5th November, 1970? If not, to what relief are they entitled?"

[No. L-1912/26/71-LR.II.]

### नई दिल्ली, 27 भन्नेल, 1971

का० ग्रा॰ 2513.—यत: केन्द्रीय सरकार की राय है कि इससे उपाबद्ध श्रनुसूची में शिनिर्दिष्ट विषयों के बारे में न्यू कैंदा कोलियरी, डाक्श्वर टोपोसी, जिला बर्ववान के प्रबन्धतंत्र से सम्बद्ध नियोजकों श्रीर उनके कमकारों के बीच एक श्रीबोगिक विवाद विद्यमान है;

श्रीर यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है ;

श्रतः, श्रवः, श्रीद्योगिक विवाद श्रधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा उवत विवाद को उक्त श्रधिनियम की धारा 7-क के श्रधीन गठित केन्द्रीय सरकार श्रीद्योगिक श्रधिकरण, क्लक्त्ता यनिर्णयन के लिए निर्देशित करती है।

### ग्रमुस् ची

"क्या न्यू कैंदा कोलियरी, डाकघर टोपोसी, जिला बर्दवान के प्रबंधतंत्र द्वारा सर्वश्री सर्बोन सिंह,. रणजीत सिंह और चरणदास प्रचालकों श्रौर श्री गुरुदीप सिंह, डीजल मेक्कैनिक फिटर की 5 नवम्बर, 1970 में छंटनी करना न्यायोचित था? यदि नहीं, तो कर्मकार किस श्रन्तोष के हक्षदार हैं?

[सं० एल० 1912/26/71-एल० श्रार०-2]

#### New Delhi, the 3rd May 1971

S.O. 2514.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Bankola Colliery of Messrs Burrakur Coal Company Limited, Post Office, Ukhra, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication.

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

#### SCHEDULE

"Whether the management of Bankola Colliery of Messrs Burrakur Coal Company Limited, Post Office Ukhra, District Burdwan was justified in effecting the change in shift working of Sarvashri Hari Narayan Bose, T. P. Chatterjee and Narayan Chatterjee, Overmen, Bankola Colliery from 3 shifts to 2nd and 3rd shifts only in rotation from the 3rd July, 1970, 3rd July, 1970 and the 6th July 1970 respectively? If not, to what relief the workmen concerned are entitled?"

[No. 6/80/70-LRII.]

### नई दिल्ली, 3मई, 1971

का० द्यार 2515.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध श्रनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स बुर्राकुर कोल कम्पनी लि० डाकघर उखड़ा, जिला बर्दवान की बंकीला कोलियरी के प्रबन्धतंत्र से सम्बद्ध नियोंजकों श्रीर उनके कर्मकारों के बीच एक श्रीद्योगिक विवाद विद्यमान है ;

और यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वाछनी समझती है:

श्रतः, श्रव, श्रीबांगिक विवाद श्रिधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा अदल शक्तिवां का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वान उक्त विवाद की उका अधिनियम को बारा 7-क के श्रधीन गठित केन्द्रीय सरकार श्रीबोगिक श्राधिकरण, जनकत्ता की न्यायनिर्णयन के लिए निर्देशित करती है।

### प्रनुस भी

"क्या मैसर्स बुर्राक्षुर काल कम्पना लि०, डाकवर उखड़ा, जिला बर्दवान के प्रववतत द्वारा सर्वश्रो हरिनारायण बोस, टी० पी० चटर्जी श्रीर नारायण चटर्जी, श्रोवरमेन, बंकोला कोलियरी के पारी-कार्य में, कमशाःतीन पारियों से केवल दूसरी और तीसरी पारी में उजलाई, 1970, उजुलाई, 1970 श्रीर 6 जुलाई, 1970 से बारी-बारी से परिवर्तन करना न्यायोचित था? यदि नहीं तो मबंधित सर्मकार किस श्रन्तीय के हकदार हैं?

[सं॰ 6/80/70-एल॰ श्रार**॰**-2]

S.O. 2515.—Whereas the Central Government is of opinion hat an industrial disputes exists between the employers in relation to the Singareni Collieries Company Limited, Post Office Kothagudem Collieries (Andhra Pradesh) and their work men in respect of the matters specified in the Schedule hereto annexed;

And, whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Shri T. Chandrasekhara Reddy, as Presiding Officer with headquarters at Afzal Lodge, Tilak Road, Ramkote, Hyderabad-1, and refers the said dispute for adjudication to the said Industrial Tribunal.

#### SCHEDULE

"Whether the management of Godavari Khani No. 6 Incline of Messrs Singareni Collieries Company Limited is justified in placing Shri Gangarapu Odely, Tyndal in Çategory IV as per Wage Board recommendation, if not, to what relief is the workman entitled and from what date?

[No. L/2112/6/71LRII.]

का॰ प्रा॰ 2515.—यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध श्रनुसूची में विनिर्दिष्ट विषयों के बारे में सिंगरेनी क्रोलियरीज कम्पनी लिमिटेड, डाक्वर कोषागुडम क्रोलियरीज (श्रान्ध्र प्रदेश) के प्रबन्धतंत्र से सम्बद्ध नियोंजकों और उनके कर्मकारों के बीच एक श्रौद्योगिक वियाद विद्यमान,

श्रीर यतः केन्द्रीय सरकार उक्त विवाद कोन्याय निर्णयन के लिए निर्देशित धरना वांछनीय समझती है।

श्रतः, श्रब, श्रीद्योगिक विवाद श्रिधिनियम, 1947 (1947 का 14) की धारा 7-क श्रौर धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा एक श्रौद्योगिक श्रिधिकरण गठित करती है जिसके पीठासीन श्रिधिकारी श्री टी० चन्द्रसेखर रेड्डी होंगे, जिनका मुख्यालय प्रफजल लांज, तिलकरोड रामकोटे, हैदराबाद-1 होगा श्रीर उक्त विवाद को उका श्रीद्योगिक श्रिधिकरण को न्यायनिर्णयन के लिए जिदेशित करती है।

### ग्रम् सूची

"क्या मैसर्स सिंगरनी कोलियरीज कम्पनी लिमिटेड की गोदाबरी खिन न० 6 इन्क्लाइन के प्रजातंत्र का श्री गंकारपु श्रोडली टिंडल को मजदूरी बोर्ड की सिफारिश के श्रनुसार श्रेणी—4 में रखना न्यायोचित है; यदि नहीं तो कर्मकार किस श्रनुतोष का और किस तारीख से हकदार है।"

[ सं० एल०/ 2112/671-एस० ग्रार०-2]

#### New Delhi, the 4th May 1971

8.0 2516.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Samla Colliery, Post Office Pandayeshwar, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal. Calcutta, constituted under Section 7A of the said Act.

#### SCHEDULE

"Whether the management of Samla Colliery, Post Office Pandaveshwar, District Burdwan was justified in stopping from work Sarvashri Balendra Roy, Pump Khalasi, Tarapada Acharaya, Shot-firer, Madhob Pal, Shot-firer Mazdoor and Sarvashri Bahadur Roy, Narayan Ghosh, Pado Bouri, Ram Bouri, Bibaran Bouri and Gora Chandra Monda, Bhota Duscolh, General Mazdoor with effect from the 8th October, 1969? If not, to what relief are they entitled?"

[No. L/1912/35/71-LRII.]

### नई दिल्ली, य मई, 1971

का० आ० 2516.--यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में सामला कोलियरी, डाकघर पांडवेश्वर, जिला वर्दवान के प्रबन्धतंत्र में सम्बद्ध नियोजकों श्रीर उनके कर्मकारों के बीच एक श्रीद्योगिक विवाद विद्यमान है;

श्रीर यत: केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित कपना बांछनीय समझती है:

श्रत:, श्रब, श्रीद्योगिक विवाद श्रीधनियम, 1947 (1947 का 14) की धारा 10 की उपधारा ( 1 ) के खण्ड ( भ ) द्वारा प्रवक्त भिक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा उस्त खियाद को उन्त प्रधिनियम की धारा *१-*क के प्रधीन गठित केन्द्रीय सरकार ग्रीद्योगिक ग्रधिकरण, कलकत्ता को न्यायनिर्णयन के लिए निर्देशित करती है।

### ग्रन्स जी

**''क्या सामला कोलियरी, डाकघर** पांड**बे**ण्वर, जिला बर्दवान के प्रबन्धतंत्र द्वारा सर्दर्शा वालेन्द्र राम, पम्प खलासी, तारापद श्राचार्य, शॉट-फायरर, माधोब पाल. शॉट फायरर मजदूर श्रीर सर्वेश्री बहादर राय, नारायण घोष, पादो बाजरी, राम बाजरी, बिबार vi बाजरी श्रीर गोरा चन्द्र मोंडा, भोटा दुसाध, सामान्य मजदूर को ४ घक्तुबर , 1969 में काम से रोकना न्यायोचित था? यदि नहीं तो कर्मकार किस धनतीय के हकदार हैं?

[सं० एन० 1912/35/71-एन० ग्रार०-2]

#### New Delhi, the 5th May 1971

S.O. 2517.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Singareni Collieries Company Limited. Post Office Kothagudem Collieries (Andhra Pradesh) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the sekhara Reddy, as Presiding Officer with headquarters at Afzai Lodge, Tilak Road, Ramkote, Hyderabad-1, and refers the said dispute for adjudication to the said Industrial Tribunal. Central Government hereby constitutes an Industrial Tribunal with Shri T. Chandra-

#### Schedule

"Whether the management of Singareni Collieries Company Limited, Belam-palli Division, No. 2 Incline is justified in terminating the services of Shri Durgam Buchodu, Trammer for over-stayal of leave beyond the 19th March, 1968 without making payment of gratuity? If not, to what relief is the workman entitled?"

[No. 7/33/70-LR.II.]

### नई दिल्ली, 5 मई, 1971

का० आ० 2517.--यतः केन्द्रीय सरकार की राय है कि इससे उपाधद प्रनुसूची में विनिर्दिष्ट विषयों के बारे में सिगरैनी कोलियरीज कम्पनी लिं०, डाकघर कोटाग्डेम कोलियरीज (आन्ध्र प्रदेश) के प्रबन्धतंत्र से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक श्रीद्योगिक विवाद विद्यमान है :

श्रीर यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना बांछनीय समझती है :

ग्रत:, ग्रब, ग्रौद्योगिक विवाद प्रधिनियम, 1947 (1947 का 14) की धारा 7-क ग्रौर धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतदुद्वारा एक प्रीद्योगिक प्रधिकरण गठित करती हैं जिसके पीठासीन प्रधिकारी श्री टी० चन्द्रसेखरा रेड्डी होंगे, जितका पुख्यालय श्रफ़ज़ल लोज, तिलक रोड, रामकोटे, हैदराबाद-1 होगा श्रौर उक्त विद्वाद को उक्त श्रौद्योगिक श्रधिकरण, को न्यायनिर्णयन के लिए निर्देशित करती है।

''क्या सिंगरती कोलिय**री**ज कम्पनी लि० बेलमपल्ली प्रभाग संख्या 2 इन्क्लाइन के प्रबंधतंत्र द्वारा श्री दुर्गम बुचोडु ट्रैम्मर की सेवायें, 19 मार्च, 1968 के बाद छुट्टी बढ़ाने के कारण ग्रेष्युटी हिए बिना समाप्त करना न्यायनिर्णयन है? यदि नहीं, तो कर्मकार किस ग्रनुतोष का इकदार है ।

[सं० 7/33/70 एल० भार०-2]

S.O. 2518.—Whereas the Central Government is of oninion that an industrial dispute exists between the employers in relation to the management of East Basuria Colliery of Messrs The East Basuria Colliery Company Private Limited, Post Office Khusunda, District Dhanbad and their workmen in respect of the matters specified in the Schedule hereto annexed:

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal (No. 2), Dhanbad, constituted under section 7A of the said Act,

#### SCHEDULE

"Whether the action of the management of East Basuria Colliery of Messrs
The East Basuria Colliery Company Private Limited, Post Office
Khunda, District Dhanbad, in dismissing Shri Chandra Das, Loco
Driver from service with effect from the 7th January, 1971 is justified?

If not, to what relief is he entitled?"

[No. L-2012/47/71-LR.II.]

**का० श्रा० 2518.--यत: केन्द्रीय सरकार की राय है कि इससे उपाबद्ध श्रनसूची में विनिर्दिष्ट** विषयों के बारे में मैसर्स दि ईस्ट वसूरिया कोलियरी कम्तनी प्राइवेट लि० की ईस्ट बसूरीया कोलियरी, डाकघर कृसुन्डा, जिला घनबाद के प्रबन्धपंत्र के सम्बद्ध नियोजकों भ्रीर उनके कर्मकारों के बीच एक श्रीद्योगिक विवाद विद्यमान है ;

भीर यतः केद्वीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना बांछनीय समझती है :

भत:,भव, श्रोद्योगिक विवाद भ्रधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1)के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा उक्त विवाद को उक्त भ्रधिनियम की धारा 7-क के भ्रधीन गठित केन्द्रीय सरकार श्रीद्योगिक भ्रधिकरण (संख्या 1) धनबाद को न्यायनिर्णयन के लिए निर्देशित करती है।

"क्या मै तर्स दि ईस्ट बसुरिया कोलियरी कम्पनी प्राइवेट लि० की ईस्ट वसुरिया कोलियरी, डाकवर कसुन्डा, जिला धनबाद के प्रबंधतंत्र द्वारा श्री चन्द्रा दास, लोकी चालक को 7 जनवरी, 1971 से तौकरों में परच्या करने की कररीबाई न्यायोचित हैं? यदि नहीं, तो कर्मकार किस श्रनतोष का हकदार ह ।''

### [ सं० एल०-2012/47/71-एल० भ्रार०-2 ]

S.O. 2519.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Bankola Colliery of Messrs Burrakur Coal Company Limited, Post Office Ukhra, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta, constituted under section 7A of the said Act.

#### SCHEDULE

"Whether the management of Bankola Colliery of Messrs Burrakur Coal Company Limited, Post Office Ukhra, District Burdwan was justified in stopping from work from the 4th October, 1969 and dismissing from the 24th November, 1969 Sarvashri Jetha Majhi, Brij Mohan Chowhan, Narthu Chowhan, Noor Mohammad, Kandan Majhi, Ramkar Gope, Sarafjit Joiswara and Dhanai Singh, Dressors of Bankola Colliery? If not, to what relief the workmen concerned are entitled?

[No. L/1912/28/71-LRII.]

का० ग्रा॰ 2519 ---यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध प्रनुसूची में विनिर्दिष्ट विषयों के बारे में मैसर्स कर्राकर कोल कम्पनी लि० की बंकोला कोलियरी, डाकघर उखरा, जिला वर्दवान के प्रबन्धपंत्र में सम्बद्ध नियोजकों श्रौर अनके कर्मकारों के बीच एक यौद्योगिक विवाद विद्य-मान है ;

भौर यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समञ्जती है ;

श्रतः, श्रव, श्रीद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा उक्त विवाद को भ्रधिनियम की धारा 7-क के भ्रधीन गठित केन्द्रीय सरकार श्रीद्योगिक श्रधिकरण, कलकत्ता को न्यायनिर्णयन के लिए निर्देशित करती है।

### ध्रम् सूची

"क्या मैसर्स बुर्राकुर कोल कम्पनी लि० की बंकोला कोलियरी, डाकघर उन्द्रारा, जिला बर्दवान के प्रबंधतंत्र द्वारा बंकोला कोलियरी के सर्वश्री जेठा माझी, ब्रिजमोहन जौहान, नथु चौहान, नूर मोहम्मद, कन्दन माझो, रामकर गोप, सराफ्रजीत जीइसवारा और घनेमिह, दूँसरों को 4 श्रक्तूबर, 1969 में काम से रोकना और 24 नवम्बर, 1969 से पदच्युत करना न्यायोचित था? यदि नहीं, तो संबंधित कर्मकार, किस अन्तोप के हकदार हैं?"

[सं० एल०-1912/28/71-एल० भ्रार०-2]

New Delhi, the 7th May 1971

S.O. 2520.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Kumarkhala Colliery, Post Office Bahula, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Induscrial Tribunal, Calcutta constituted under section 7A of the said Act.

#### SCHEDULE

"Whether the management of Kumarkhala Colliery, Post Office Bahula, District Burdwan was justified in not providing proper category and in terminating the employment of Sarvashri Hari Bouri, Blacksmith Mistry Anil Bouri Hammerman, Mangal Gope, Belloman, Prahiad Bouri, Tub repairer and Albad Bouri, Tub repairer helper with effect from the eighteenth November, 1970? If not to what relief are the workmen entitled and from what date?"

[No. L-1912/4/71-LRII.]

### नई दिल्ली, 7 मई, 1971

का॰ ग्रा॰ 2520.—यतः केन्द्रीय सरकार की राय है कि इसमें उपाबद्ध ग्रनुसूची में विनिर्दिष्ट विषयों के बारे में कुमारखाला कोलियरी, डाकचर बाहुला, जिला बर्दवान के प्रबन्धपंत्र से सम्बद्ध नियोजकों ग्रीर उनके कर्मकारों के बीच एक ग्रीद्योगिक विवाद विद्यमान है ;

श्रीर यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना बांछनीय समझती है:

श्रतः, श्रवः, श्रीद्योगिक विवाद श्रिधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त गिक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा उक्त विवाद को उक्त श्रिधिनियम की धारा 7-क के श्रिधीन गठित केन्द्रीय सरकार श्रीद्योगिक श्रिधिकरण, कलकत्ता की न्यायनिर्णयन के लिए निर्देणित करती है।

### ग्रन्यूची

"क्या कुमारखाला कोलियरी, डाकघर बाहुला, जिला बर्दवान के प्रजातन्स्र का सर्वश्री हरि बोरी, लोहार मिस्त्री, प्रनिल बोरी, हेमरमैन, मंगल गोप, बेल्लोमैन, प्रहलाद बोरी, टब मरम्मतकर्त्ता और प्रसहाद बोरी, टब मरम्मतकर्त्ता सहायक को समुचित वर्ग न देना श्रीर श्रठारह नवम्बर, 1970 से उनकी रोजगार समाप्त करना न्यायोचित था? यदि नहीं, तो कर्मकार किस श्रनुतोष के श्रीर किस तारीख से हकदार हैं ?"

[सं० एल०-1912/4/71-एल० भार०-2]

#### New Delhi, the 11th May 1971

S.O. 2521.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the management of Jaipuria Kajora Colliery, Post Office Andal, District Burdwan and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desireable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Central Government Industrial Tribunal, Calcutta constituted under section 7A of the said Act.

#### SCHEDULE

"Whether the management of Jaipuria Kajora Colliery Post Office Andal, District Burdwan was justified in not declaring the following workmen as permanent? If not, to what relief are the entitled and from what date?

|    | Names of              | workn | nen |   |   |  |     | Designation           |
|----|-----------------------|-------|-----|---|---|--|-----|-----------------------|
| Τ, | Shri Ranjit Talukadar |       |     | , | - |  |     | Timber Mazdoor        |
| 2. | Shri Kartick Banerjee |       |     |   |   |  |     | Lamp Issuer.          |
| 3. | Shri Manu Gope .      |       |     |   |   |  |     | Line Mazdoor.         |
| 4. | Shri Karuna Dey .     |       |     |   |   |  |     | Bailing Mazdoor.      |
| 16 | Khudiram Bouri .      | _     |     |   |   |  |     | Trammer.              |
| 6. | Sarga Bouri           |       |     |   |   |  |     | Trammer.              |
|    | _                     |       |     |   |   |  | INo | I -1012/27/71-I.R. II |

INO. L-1912/27/71-LR. II] R. KUNJITHAPADAM, Under Secy.

### नई दिल्ली, तारीखा 11 मई 1971

का० ग्रा० 2521---यतः केन्द्रीय सरकार की राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिष्ट विषयों के बारे में जयपूरिया कजोरा कोलियरी, डाकघर प्रदेल, जिला बर्द बान के प्रबंधतंत्र से सम्बद्ध नियजको भीर उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है ;

भीर यत: केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना नांछनीय समधार्ता है ;

श्रत: ग्रब, श्रोद्योगिक विवाद श्रधिनियम, 1947 + (1947 + 114) + 114 +(1) के खंड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा उक्त विवाद को उक्त प्रिश्नियम की धारा 7-क के श्रधिन गठित केन्द्रीय सरकार ग्रौद्योगिक श्रधिकरण , कलकत्ता को न्यायनिर्णयन के लिए निर्देशित करती है।

''क्या जयपरिया कजोरा कोलियरी डाकघर श्रंदाल, जिला बर्दवान के प्रबंधतंत्र का निम्नलिखित कर्मकारों को स्थायी घोषित न करना न्यायोचित था ? यदि नहीं, तो वे किस अनुतोष के श्रीर किस तारीख से हकदार हैं ?"

| कर्मकारों   | का | नाम |
|-------------|----|-----|
| P 1 P 1 S 1 |    |     |

पदनाम

| 1  | श्री रंजीत तालुकदार | काष्ठ मजदूर       |
|----|---------------------|-------------------|
| 2- | श्री कार्तिक बनर्जी | लैम्प देने वाला   |
| 3- | श्री मोन गोप        | लाइन मजदुर        |
| 4- | श्रीकरूणाडे         | बेलिंग मजदूर      |
| 5- | खुद्दीराम बौरो      | टैम्मर            |
| 6- | सगौ बौरी            | ट्र <b>ँ</b> म्मर |

[सं० एल-1912 / 27 / 71-एल घार-2]

ग्रार० कंजिथापदम, श्रवर सचिव ।

#### (Department of Labour and Employment)

#### ORDER

New Delhi, the 10th February 1971

S.O. 2522.—Whereas the Central Government is of the opinion that an industrial dispute exists between the employers in relation to the Singareni Collieries Company Limited, Post Office Kothagudium Collieries (Andhra Pradesh) and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal with Shri T. Chandrasckhara Reddy, as Presiding Officer with headquarters at Afzal Lodge, Tilak Road, Ramkote, Hyderabad-1, and refers the said dispute for adjudication to the said Industrial Tribunal.

#### SCHEDULE

"Whether the action of the management of Kalyan Khani Workshop, Mandamari Division, Singareni Collieries Company Limited, in not granting Category VI (New) and Category V (New) to Sarvashri Mohammad Gouse and Mohammad Roza, Armature Winders, respectively, as per the recommendations of the Wage Board for Coal Mining Industry, is justified? If not, to what relief are the workmen entitled and from what date?"

[No. 7/28/70-LRII.]

U. MAHABALA RAO, Dy. Secy.

### (श्रम ग्रीर रोजधार विभाग)

#### च्चा देश

### नई दिल्ली, 10 फरवरी 1971

का० भा० 2522.—यतः केन्द्रीय सरकार की राय है कि इससे उपाधक अनुसूची में विनिर्दिष्ट विषयों के बारे में सिंगारेनी कोलियरीज कम्पनी लिमिटेड, डाकघर कोठागृडियम कोलियरीज (आंध्र प्रदेश) से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है ;

भीर यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना वांछनीय समझती है;

श्रतः, श्रव, श्रीद्योगिक विवाद श्रिधिनियम, 1947 (1947 का 14) की धारा 7-क श्रौर धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्द्वारा एक श्रौद्योगिक श्रिधिकरण गठित करती है जिसके पीटासीन श्रीधकारी श्री टी॰ चन्द्रशेखर रेड्डी होंगे, जिनका मुख्यालय श्रक्षजल लौज, तिलकरोड, रामकोटे, हैदराबाद-1 होगा श्रौर उक्त विवाद को उक्त श्रौद्योगिक श्रिधकरण को न्यायनिर्णयन के लिए निर्देशित करती है।

### ग्रन् सूची

"क्या कल्याण खानि कर्मणाला, मांडाभारी खंड, सिंगरेनी कोलियरीज कम्पनी लिमिटेड, के प्रबन्धतंत्र की सर्वश्री मुहम्मद गोस श्रौर मुहम्मद रोजा, श्रामाच्योर वांइडर्ज को कोयला खनन उद्योग संबंधी मजदूरी बोर्ड की सिफारिशों के श्रनुसार प्रवर्ग-6(नया) ग्रौर प्रवर्ग 5 (नया) न देने की कार्रवाई न्यायोचित है ? यदि नहीं, तो कर्मकार किस श्रनुतोष के श्रौर किस तारीख से हकदार है ?"

[सं॰ 7/28/70-एल॰ श्रार०-2]

यू० महाबला राय, उप सचिव।

#### (Department of Labour and Employment)

#### ORDER

New Delhi, the 16th April 1971

S.O. 2523.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the State Bank of Bikaner and Jaipur and their workmen in respect of the matter specified in the Schedule hereio annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal. No. 2, Dhanbad constituted under section 7A of the said Act.

#### SCHEDULE

"Whether the action of the management of State Bank of Bikaner and Jaipur in terminating the services of Shri Suresh Mishra, Clerk with effect from the 8th July, 1970 was justified? If not, to what relief is he entitled?

[No. 23/136/70/LRIII.] S. S. SAHASRANAMAN, Under Secy.

(श्रम श्रीर रोजगार विभाग)

#### ष्मा देश

नई दिल्ली, 15 अप्रैल 1971

का आर 2523—यतः केन्द्रीय सरकार कि राय है कि इससे उपाबद्ध अनुसूची में विनिर्दिग्ट विषयों के बारे में स्टेंट बैंक आफ बीकानेर एण्ड जयपुर से सम्बद्ध नियोजकों और उनके कर्मकारों के बीच एक औद्योगिक विवाद विद्यमान है;

श्रीर यतः केन्द्रीय सरकार उक्त विवाद को न्यायनिर्णयन के लिए निर्देशित करना बांछनीय समझती है:

श्रतः, श्रबः, श्रीद्योगिक विवाद ग्रिधिनियम, 1947 (1947 का 14) की धारा 10 की उपधारा (1) के खण्ड (घ) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्-द्वारा उक्त विवाद को उक्त श्रिधिनियम की धारा 7-क के श्रिधीन गठित केन्द्रीय सरकार श्रीद्योगिक श्रिधिकरण संख्या 2, धनबाद को न्यायनिर्णयन के लिए निर्देशित करनी है।

### **प्रनु**सूची

''नया स्टेट बैंक आफ बीकानेर एण्ड जयपुर के अबन्धतन्त्र की श्री सुरेश मिश्र, लिपिक की, 8 जुलाई, 1970 से, सेवाएं समाप्त करने की कार्यवाही न्यायोचित हैं? यदि नहीं, तो वह किस अनुतोष का हकदार है ?"

> [सं० 23/136/70-एल० श्रार० 3] एस० एस० सहस्र नामन, श्रवरसचिव ।

## (Department of Rehabilitation) (Office of the Chlef Settlement Commissioner)

New Delhi, the 7th June 1971

S.O. 2524.—In exercise of the powers conferred by sub-section (i) of Section 3 of the Displaced Persons Compensation and Rehabilitation) Act, 1954 (44 of 1954), the Central Government hereby appoints in supersession of Notification No. 3(16)/

L&R/69 dated 2-3-71, the Under Secretary (Revenue) of the Government of Himschal Pradesh, as Settlement Commissioner for the purpose of performing, in addition to his own duties as Under Secretary (Revenue) Government of Himachs Pradesh, the functions assigned to a Settlement Commissioner, by or under the said Act in respect of acquired evacuee urban and rural properties and urban and rural agricultural lands forming part of the Compensation Pool, transferred to the Stat Government in 'package Deal' or under Administrative and financial arrangements [No. 3(16)]/L&R/69 [No. 3(16)/L&R/69.

D. KRISHNA AYYAR, Jt. Secy

(पनर्वास विभाग) मुख्य बन्दोबस्त आयुक्त कायलिय नई दिल्ली, ७ ज्न, 1971

काः आः 2524 - विस्थापित व्यक्ति (प्रतिकर तथा पुनर्शास) प्रधिनियम 1954 ( 1954 का 44) की धारा 3 उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार प्रक्षिसुचना संख्या 3 (16) एस० तथा ब्रार $\circ/69$  दिनांक 2-3-1971 का श्रतिक्रमण करते हुए हिमाचल प्रदेश सरकार के अवर सचिव (राजस्व) को हिमाचल प्रदेश के श्रवर सचिव के कार्यों के अतिरिक्त उक्त ग्रिधिनियम द्वारा या उसके भ्रन्तर्गत "वैकेज डील" या प्रशासनिक तथा विलीय व्यवस्थाओं के अधीन राज्य सरकार को हस्तान्तरित प्रतिकर पूल की अर्जित निष्कान्त शहरी तथा ग्रामीण सम्पत्तियों श्रीर शहरी तथा ग्रामीण कृषि भूमियों के सम्बन्ध में बन्दोबस्त श्रायुक्त को सोंपे गये कार्यों को करने के लिए बन्दोबस्त ग्रायक्त के रूप में नियक्त करती है।

> [सं० 3(16) एल एण्ड मार/69] घ० कृष्णा श्रय्यर, भारत सरकार के संयुक्त सचिव तथा मख्य बन्दोबस्त भ्रामन्त ।

### (Department of Labour and Employment) [Office of the Chief Labour Commissioner (Central)]

New Delhi, the 8th June, 1971

S.O. 2525.—Whereas an application has been made under section 19(b) of the Payment of Bonus Act, 1965 by Messrs. Lower Kenda Colliery (employer) in relation to their establishments mentioned in the Schedule below for extension of the period for the payment of bonus to their employees for the accounting year ending on 30th June, 1970.

And whereas being satisfied that there are sufficient reasons to extend the time I have, in exercise of the powers conferred on me by the proviso to clause (b) of Section 19 of the said Act read with the notification of the Government of India in the Ministry of Labour and Employment No. WB. 20(42)/65 dated the 28th August, 1965, passed order on 8th June, 1970 extending the period for payment of the said bonus by the said employer by four months (i.e. up to 30th June, 1970) from the last date for payment of bonus under clause (b) of Section 10 of the Act.

Act. Now this is published for information of the employer and all the employees of the said establishment.

THE SCHEDULE

Establishment

Name and address of the employer(s)

M/s. Lower Kenda Colliery,
Khas Kenda Colliery Pvt. Ltd.,
P.O. Kajoragram, Dist. Burdwan.

[No. BA-5(8)/71-LSI.] O. VENKATACHALAM, Chief Labour Commissioner (Central).

## (श्रम ग्रीर रोजगरेर विभाग)

मुख्य श्रम श्रायुक्त (केन्द्रीय) का कार्यालय

#### **ទ**ោធិនា

नई दिल्ली, 8 जून 1971

का० भ्रा० 2525.—यतः मैसर्स लाग्नर नेन्डा कोलीवरी (नियोजक) ने नीचे की अनुसूबी में वर्णित अपने स्थापनों के संबंध में 30-3-1970 को समाप्त होने वाले लेखा वर्ष के लिए अपने कर्मचारियों को बोनरा के संदाय की कालाविध को बढ़ाने है लिए बोनरा संदाय शिधनियम, 1965 की धारा 19(ख) के श्रधीन श्रावेदन दिया है।

श्रौर्ययाः यह समाधान हो जाने पर कि समय बढ़ाने के लिए पर्याप्त कारण हैं, मैंने भारत सरकार के श्रम श्रौर रोजगार मंत्रालय की प्रधिसूचना सं० उब्ल्यू बी-20(42)/65, तारीख 28 श्रगस्त, 1965 के साथ पिटत उक्त श्रधिनियम की धारा 19 के खण्ड (ख) के परन्तुक द्वारा मुझे प्रदत्त शक्तियों का प्रयोग करते हुए 8-6-71 को उक्त नियोजक द्वारा उक्त बोनस के संदाय की कालावधि को श्रधिनियम की धारा 19के खण्ड (ख) के श्रधीन बोनस के संदाय की श्रन्तिम तारीख के 4 महीने (श्रर्थात् 30-6-71 तक) बढ़ाने का श्रादेश दे दिया है।

श्रव इसे उक्त स्थापन के नियोजक ग्रौर सभी कर्मचारियों की सूचना के लिए प्रकाशित किया जाता है ूँ।

### ग्रनुसूची

नियोजक/नियोजकों का नाम ग्रौर पता

मैं सर्स लोग्रर केन्डा कोलीयरी, खास केन्डा कोलियरी (प्रा०) लि०,

र्पो० ह्या० कजोरा ग्राम, धर्वदात ।

[तंत्र बीव्रए० ३(७)/७१ एल० एस०1] श्रो० बेंकटाचलम,

सुख्य श्राम द्यायुक्त (केन्द्रीय) ।

### (Department of Labour and Employment)

New Delhi, the 21st June 1971

S.O. 2526.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of Shri B. S. Sachdev, Assistant Labour Commissioner (Central), Asansol, Arbitrator, in the industrial dispute between the employers in relation to the management of New Damagoria Colliery, Post Office Salanpur, District Burdwan and their workmen which was received by the Central Government on the 15th June, 1971.

BEFORE SHRI B. S. SACHDEV, ASSISTANT LABOUR COMMISSIONER(C) AND ARBITRATOR.

PRESENT:

Shri B. S. Sachdev, Assistant Labour Commissioner (Central), Asansol. Parties:

Employer in relation to New Damagoria Colliery of M/s.. New Damagoria Coal Company (P) Ltd., P.O. Salanpur, Dist. Burdwan.

Their workmen represented by Collicry Mazdoor Congress (HMS), Md. Hussain Street, Bengal Hotel, Asansol.

Appearance. for employers.—Shri P. N. Chaturbedi, Chief Personnel Officer, M/s.
New Damagoria Coal Co. (P) Ltd., P.O. Salanpur,
Dist. Burdwan.

Appearance for workmen:—Shri T. N. Chakravorty, Vice-President, Colliery Mazdoor Congress (HMS), Md. Hussain Street, Bengal Hotel, Asansol.

INDUSTRY: Coal DISTRICT: Burdwan.

#### AWARD

The Central Government having received the arbitration agreement dated 26th November, 1970 between the management of New Damagoria Colliery of M/s. New Damagoria Coal Company (P) Limited, P.O. Salanpur, Dist. Burdwan (hereinafter referred to as the management) and their workmen represented by Colliery Mazdoor Congress (HMS), Asansol, Dist. Burdwan (hereinafter referred to as the union) in pursance of Sub-Section (1) of Section 10A of the Industrial Disputes Act, 1947 (14 of 1947) referring the Industrial Dispute between them, the specific matters in dispute as given below for my arbitration, and Central Government being of the opinion that the industrial dispute referred to above exists between the management and the union, ordered publication of the aforesaid arbitration agreement in the Gazette of India Part II, Section 3, sub-section 2(i) under their order No. 8/206/70-LR-II, dated the 23rd February, sub-section 2(i) under their order No. 8/206/70-LR-II, dated the 23rd February, 1971:-

#### "Specific matters in dispute"

"Whether the management of New Damagoria Colliery of the New Damagoria Coal Co. (P) Ltd., P.O. Salanpur, Dist. Burdwan was justified in retrenching the following 19 workmen with effect from 23rd June, 1970? If not, to what relief are these workmen entitled?

- Sri Mukhram Shah.
   Sri Ramprasad Shah.
   Sri Morai Sha.
   Sri Anrudh Bhuniya.

- 5. Sri Dinanath Gareri.
- 6. Sri Siyaram Munia. 7. Sri Ramashankar Ram. 8. Sri Trijugi Narayan Goreri.
- 9. Sri Umashankar Koiri,
- 10. Sri Dukhit Ram.
- 11. Sri Kayda Hossain. 12. Sri Marhangi Nunia. 13. Sri Md. Islam Mia. 14. Sri Md. Idrish Mia.

- Sri Ch. Ram Prasad Shah.
   Sri Joynath Gareri.
- Sri Golap Harijan.
   Sri Prahlad Teli.
- 19. Shrimati Sam Bai.
- 2. Though in terms of arbitration agreement signed on 26th November, 1970 it was agreed by the parties that the arbitrator shall make his award within a period of six months or within such further time as is extended by mutual agreement between them in writing, the parties filed a petition during the course of the arbitration proceedings on 4th May, 1971 to extend the said period by one month, thus enabling me to give my award by 26th June, 1971.
- 3. The stand of the union in brief as taken in the written statement filed by them is that the 19 workmen involved in this dispute were illegally stopped from work by the management on 23rd June, 1970 and they come to know about the alleged retrenchment by the management only in the course of joint discussion held before the Assistant Labour Commissioner (C). The union challenged the retrenchment on the ground that these workmen were not surplus to the ed the retrenchment on the ground that these workmen were not surplus to the requirement at the colliery and that the statutory procedure was not followed by the management while effecting the pretended retrenchment and that the said management was recruiting many workmen in the colliery for working as general mazdoors and wagon loading mazdoors and though the workmen involved in this dispute were fit for employment in those jobs, they were not

provided with such jobs and consequently prayed for holding the action of the management as unjustified and for directing them to reinstate the workmen as general mazdoors at the colliery with rull wages for the period of their unemployment.

- 4. The case of the management as stated in their written statement is that they were employing 212 workmen on the work of overburden removal and such workmen were known as Dalla Workers and Godi Workers, that the management decided to stop the overburden removal work as a large erea of management decided to stop the overpurden removal work as a large area of coal was exposed and the coal was of poor quality and was not easily saleable, that accordingly 193 such workmen voluntarily left the colliery after accepting full and final payment including ex-gratia amount equivalent to retrenchment compensation, that the remaining 19 workmen in dispute were issued notice of retrenchment on 23rd May, 1970 intimating them that their services would stand terminated from 23rd June, 1970 and that the said retrenchment was legal and proper. This management inter alia denied the allegations of the union made in their written statement either because those were alleged to be union made in their written statement either because those were alleged to be not true or not relevant and consequently prayed for upholding the said retrenchment without any relief to the workmen.
- 5. Both the parties filed various documents in support of their respective case. The documents filed by the managemnt have been marked as Ext. M-1 to Ext. M-6 while those filed by the union arc marked as Ext. W-1 to Ext. W.7. The union produced only one witness namely Shri Ramshankar (UM.1) one of the retrenched workmen involved in this dispute while the management produced two witnesses namely Shri B. B. Roy Manager of the Colliery (M.W.1) and Shri N. J. Jani Cashier of the Colliery, (MW-2).
- 6. A careful perusal and scrutiny of all the documents as well as evidence adduced by both the parties it is clear that the work burden removal at the colliery was stopped on and from 23rd June, 1970 and it continues to remain so. Further all the workmen employed at the work of overburden removal other than the 19 workmen involved in this dispute, have already left their services from the colliery after receiving full and fina, payment of their dues including ex-gratia payment. It is further brought out by the management that the notices for retrenchment (Ext. M-1) were issued to the 19 workmen on 23rd May 1970 under Certificate of Posting (Ext. M.2) giving them one months notice and retrenching their services on and from the 23rd June, 1970. In the same notice these workmen were called upon to collect their dues and retrenchment compensation on 23rd June, 1970 during office hours from the cashier. Ext. M-3 is an intimation received by the A.L.C.(C), Asansol in form "P" under the Industrial Disputes (Central) Rules, 1956 addressed to the Secretary to the Government of India, Ministry of Labour, Employment & Rehabilitation, New Delhi with a copy to the RLC(C), Asansol and him. This notice though dated 31st July, 1970 was received in the office of the ALC(C) Asansol on 7th August, 1970. The management have duly accepted the delay in the submission of this notice both in their written statement as well as in the oral evidence of Shri B. B. Roy (MW-1) on grounds of inadevertancy. Though notice dated 23rd May, 1970 (Ext. M-1) does not indicate the reasons of retrenchment, the notice in form "P" (Ext. M-3) does incorporate the reasons which are re-produced below:—

"Stoppage of overburden removal work from 23rd June, 1970 and earth cutting work due to non-saleability of coal in the market, difficult mining operations, continued uneconomic working of the colliery and for reasons beyond the control of the management."

Similar reasons have been adduced by the management in their written statement as well as the oral evidence of MW-1. It is further brought out by the management during the course of evidence of their witnesses that the work of overburden removal was stopped as per negotiations between them and the representatives of the worker but the 10 contains a per negotiation. overburden removal was stopped as per negotiations between them and the representatives of the workmen but the 19 workmen involved in this dispute did not agree to act accordingly to that understanding which was agreed to by others. It was for this reason that these workmen had to be issued retrenchment notice in question. The only union witness Shri Ramshankar stated that he did not receive any notice dated 23rd May, 1970 (Ext. M-1) and came to know about the termination of his service only after he received a Registered letter dated 1st August, 1970 (Ext. W-7) from the management. He however stated that he was stopped from work from 23rd June, 1970 alongwith other 18 workers involved in this dispute. He admitted that no workers was employed on the work of over-burden removal from 23rd June, 1970. According to him other workmen employed on this work left after resignation and after to him other workmen employed on this work left after resignation and after receiving full and final payment. As because he did not resign, he did not take any full and final payment from the management.

- 7. In view of the above mentioned position of the case, the issues which arise out for any consideration are whether the retrenchment of the 19 workmen involved in the dispute was affected in accordance with the provisions of the industrial Disputes Act. 1947 and that this retrenchment was justified.
- 8. Under section 25 of the I.D. Act, 1947 the mangement is required to fulfil the conditions laid down therein which are precedent to retrenchment of any worker employed in an industrial establishment. These conditions are reproduced below:—
- "25-F. Conditions Precedent to retrenchment of Workmen—No workmen employed in any undustry who has been in continuous service for not less than one year under an employer shall be retrenched by that employer until—
  - (a) the workman has been given one month's notice in writing indicating the reasons for retrenchment and the period of notice has expired, or the workman has been paid in lieu of such notice wages, for the period of the notice:
    - Provided that no such notice shall be necessary if the retrenchment is under an agreement which specifies a date for the termination of service:
  - (b) the workman has been paid, at the time of retrenchment, compensation which shall be equavalent to fifteen days' average pay for every completed year of continuous service of any part thereof in excess of six months; and
- (c) notice in the prescribed manner is served on the appropriate Government or such authority as may be specified by the appropriate Government by notification in the official Gazette."

  As already brought out by the management in their evidence on record, a notice

dated 23rd May, 1970 (Ext. M. 1), was duly served on the workman concerned under Certificate of Posting (Ext. M. 2). In the said notice one month's notice was given to these workmen for terminating their service and the retrenchment compensation in accordance with the condition at (b) above was also duly offered. Though the union witness has denied receipt of any such notice, he duly admitted that he along with other 18 workmen, was stopped from work from 23rd June, 1970. He also stated that the work of over burden removal was closed from 23rd June, 1970. Ext. W. 7 filed by him during the course of his evidence relates to Shri Haringi Mia, another workman involved in this dispute, though he has stated in his evidence that he came to know of his fermination when he received this This 1; rather strange. It may be a mistake on his part to file a wrong leitec. letter. But in any case I cannot take any cognizance of the letter which does not relate to this workman and remains unproved. Nothing further has been placed before me to substantiate the claim of this witness that he did not know about his termination from 23rd June, 1970 inspite of management's notice daied 23rd May, 1970 (Ext. M 1) and the certificate of posting (Ext.M.2). There is also inconsistency in the stand of the union on this question, while this witness refers the latter (Axt. W. 7) for knowing about his retrenchment, the union in its writter statement stated that these workmen came to know of this fact during the course of joint discussion before the ALC(C). As ansol, when the dispute about their alleged illegal stoppage was referred for his intervention. For all these reasons alleged illegal stoppage was referred for his intervention. For all these reasons I cannot but accept the evidence placed by the management before me regarding issue of notice of termination. The condition at (a) also states that the notice should also indicate the reasons for retrenchment. It is observed that the notice ed in his case (Ext. M. 1) does not mention any reasons. In this connection M.W: 1 Shri B. B. Roy has stated that the work of over burden removal was stopped as per negotiations between the management and representatives of the workmen and as because these 19 workmen did not agree to act according to that understanding which were agreed to by the rost of the workmen they had to that understanding which was agreed to by the rest of the workmen, they had t be issued the notice of retrenchment. This piece of evidence remains unrebutted by the union. Further the notice in form "P" (Ext. M. 3) clearly indicates the reason of this retrenchment. In view of these, I am of the view that the omission of reasons in the notice of retrenchment (Ext. M. 1) does not in any way vittat this retrenchment. In the circumstances I hold that the condition at (a) abov was duly fulfilled by the management. Further it is duly admitted by the union' witness that he did not accept the full and final payment when others accepte this payment because he did not resign. The evidences of Shri Jani (M.W. 2 further proves that the payment of these final dues was duly offered to the tetrenched workmen but they did not accept any money on 23rd June 1970. A this clearly shows that the retrenchment compensation mentioned in the management's letter dated 23rd May, 1970 (Ext. M. 1) was duly offered, to these retrench ed workmen also but this was not accepted by them. Thus the condition at (b

referred to above has been duly fulfilled by the management. Regarding the condition at (c) above the management has duly admitted delay in their submission of the prescribed notice in form "P". This has been explained to be due to reasons of inadvertance. The said notice, though signed on 23rd May, 1970 by the Manager of the Colliery was despatched on 31st July, 1970 and received in the office of the ALC(C), Asansol on 7th August, 1970. This delay however does not in my view vitiate the retrenchment notice served on the workmen, as because the condition at (c) cannot for all practical purposes be considered as precedent to retrenchment like those at (a) and (b). In this view, I am supported by the judgment of the Supreme Court in Civil Appeal No. 497 of 1963 dated 19th December, 1963 in the case between Bombay Union of Journalists vs. State of Bambay reported at 351-357-I-LLJ 1964. The Supreme Court while examining this issue directly in the above mentioned case held as under:—

"Therefore having regard to the object which is intended to be achieved by clauses (a) and (b) as distinguished from the object which clause (c) has in mind, it would not be unreasonable to hold that clause (c) unlike clause (a) and (b) is not a condition precedent'.

Thus it would be clear that the management had duly observed all the condition. laid down under Section 25F of the LD. Act, 1947 while retrenching workmen involved in this dispute.

- 9. As will be clear from the evidence on record, the work of over burden removal was stopped from 23rd June, 1970. The notice dated 31st July, 1970 (Ext. M. 3) duly gives reasons for effecting the retrenchment of the workmen in question. These reasons have been corroborated by the evidence of the witnesses belonging to the management. Both the management and the union witnesses have stated that the work of over burden removal was stopped from 23rd June, 1970 and continues to remain stopped and further that all the workmen other than these 19 workmen have already left after receiving their full and final payment. It is no doubt an inherent right of the management to consider what work is to be undertaken at a particular time and what number of workmen has to be employed for the purpose. In view of these reasons it is certainly not possible to give any relief to these retrenched workmen. The management being the best judge to decide the organizational matters of their business including the question of surplusage of labour, I have no reasons to consider this retrenchment as unjustified, especially when it is not the case of the union that these workers were in any way victimised or that the retrenchment was malafide. They have also not led any evidence to prove that they were not the junior most workmen on the date of issuing of the notice of retrenchment, even though on that date the remaining workmen employed on over-burden removal work were still in employment.
- 10. In their written statement the union has in fact prayed for re-instatement of these workmen as General Mazdoors. There is some evidence to prove that these workmen had at times been employed on alternative jobs like wagon loading etc. though there is nothing to suggest that their substantive appointment was as General Mazdoors. On the other hand it is proved beyond doubt by the evidence on record of both the management and the union that these workmen were substantially employed on the work of over burden removal, which remains discontinued at the collicry. I am therefore unable to give them the relief sought for by the union.
- 11. For the reasons detailed above, I. am of opinion that the management was justified in retrenching the workmen involved in this dispute from service with effect from 23rd June, 1970 and so they are not entitled to any relief and that is my award.

ASANSOL, Dated the 10th June 1971

(Sd.) B. S. SACHDEV, Assistant Labour Commissioner (C), Asansol and Arbitrator.

[No. 8/206/70-LR.II]

R. KUNJITHAPADAM, Under Secy.